

Decision Matrix
 Wisconsin Electric Power Company and American Transmission Company LLC
 Docket 5-CE-139
 February 12, 2013

Public Service Commission of Wisconsin
 RECEIVED: 02/12/13 4:48:01 PM

ISSUE	TRANSCRIPT REFERENCE	AMOUNT	POSITIONS OF PARTICIPANTS AND OTHER ALTERNATIVES
Milwaukee County Substation			
<p>1. Will the proposed MC Substation, if constructed, substantially impair the efficiency of utility service, provide facilities unreasonably in excess of probable future requirements, or add to the cost of service without proportionately increasing the value or available quantity of service, pursuant to Wis. Stat. §§ 196.49(3)(b)1., 2., and 3.?</p> <p style="text-align: center;">(Uncontested)</p>	<p>Direct-WEPCO-Pecha-3-5, Ex.-WEPCo-Pecha-1 (pp. 2-3); Direct-PSC-Kitsembel-2; Direct-WEPCO-Pecha-2-3, 7-8, Ex.-WEPCO-Pecha-1 (p. 2); Direct-PSC-Kitsembel-1-3, 5-6; Direct-WEPCO-Pecha-8, Ex.-WEPCO-Pecha-1 (p. 8); Direct-PSC-Kitsembel-8; Direct-ATC-Andrew-8, Ex.-ATC-Aeschbacher-1 (application-4-5, TSD-Appendix C-Exhibit-1 at 4-5), Direct-PSC-Kitsembel-2</p>		<p>Uncontested Alternative: The proposed MC Substation is needed to meet anticipated load growth in the area of the MRMC. When constructed, it will not substantially impair the efficiency of utility service, provide facilities unreasonably in excess of probable future requirements, or add to the cost of service without proportionately increasing the value or available quantity of service.</p>

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Transmission Lines			
<p>2. Will the proposed transmission project, if constructed, satisfy the reasonable needs of the public for an adequate supply of electric energy as required for Commission approval under Wis. Stat. § 196.491(3)(d)2., without substantially impairing the efficiency of utility service, providing facilities unreasonably in excess of probable future requirements, or adding to the cost of service without proportionately increasing the value or available quantity of service, pursuant to Wis. Stat. §§ 196.49(3)(b)1., 2., 3., and 196.491(3)(d)5.?</p> <p style="text-align: center;">(Uncontested)</p>	<p>Direct-ATC-Aeschbacher-6; Ex.-ATC-Aeschbacher-1 (application pp. 2-3; TSD pp. 1-4, 17-18; TSD-Appendix C-Exhibit 1 pp. 6-23; TSD-Appendix C-Exhibit 2); Direct-ATC-Andrew-3-7; Direct-PSC-Kitsebel-6-7 <i>(continued)</i></p>		<p>Uncontested Alternative: The proposed two independent transmission lines are needed to provide reliable transmission service to the proposed MC Substation. When constructed, the proposed transmission lines will not substantially impair the efficiency of utility service, provide facilities unreasonably in excess of probable future requirements, or add to the cost of service without proportionately increasing the value or available quantity of service.</p>

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	Direct-ATC-Andrew-8; Ex.-ATC-Aeschbacher-1 (application pp. 4-5; TSD ¹ -Appendix C-Exhibit 1 pp. 4-5)		
<p>3. Are there technically feasible and environmentally sound alternatives to building the proposed project, per Wis. Stat. §§ 1.12(4) and 196.025(1)? Specifically, is energy efficiency and conservation a reasonable alternative to the proposed project?</p> <p style="text-align: center;">(Uncontested)</p>	Direct-WEPCO-Pecha-5-7; Ex.-WEPCO-Pecha-4 (p. 6); WEPCO, Initial Br. at 4; Ex.-ATC-Aeschbacher-1 (TSD-Appendix C-Exhibit 2); Direct-PSC-Kitsembel-3-5		<p>Uncontested Alternative: Energy efficiency and conservation is not a technically feasible, cost-effective alternative to the proposed project.</p>
<p>4. If approved, would the proposed project have a material adverse impact on competition in the relevant wholesale electric service market under Wis. Stat. § 196.491(3)(d)7.?</p> <p style="text-align: center;">(Uncontested)</p>	Direct-ATC-Andrew-9; Hodgson, Tr. Vol. 2 187-188, 191-192; Ex.-ATC-Aeschbacher-1 (TSD-17, 23); Direct-WEPCO-Pecha-2-4; Direct-PSC-Kitsembel-6		<p>Uncontested Alternative: The proposed project addresses needs at the distribution level and will not have a material adverse impact on competition in the wholesale electric service market.</p>

¹ “TSD” means “Technical Support Document.”

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5. Has the Commission complied with the Wisconsin Environmental Policy Act (WEPA), pursuant to Wis. Admin. Code ch. PSC 4?	PSC-Rahn-Direct at 1-2; Ex.-PSC-Rahn-1, 3		Uncontested Alternative: The Commission has complied with the WEPA requirements. The Environmental Assessment was issued on October 29, 2012.
6. Do the routes proposed by ATC and other parties comply with Wis. Stat. § 1.12(6)?	ATC Reply Br. 9-10; Direct-W. Gonwa-at 16; Direct-PSC-Rahn-at 4-5		<p>ATC: The Commission has allowed overhead lines along recreation trails if they do not unreasonably interfere with trail use, citing docket 137-CE-121 (Jefferson County project) and noting a relatively short intrusion is proposed.</p> <p>PFP: Segments 8b, 9a, and 9b of the B Routes do not comply because they are adjacent to a trail in an environmentally sensitive area and are not underground.</p> <p>Alternative One: All routes, including B, comply with Wis. Stat. § 1.12(6).</p> <p>Alternative Two: The B Route Segments 8a, 8b, 9a, and 9b cannot be found to comply with Wis. Stat. § 1.12(6).</p>
7. If approved, would the proposed project routes comply with Wis. Stat. § 196.491(3)(d)6. and not unreasonably interfere with the orderly land use and development plans for the area involved?	Direct-ATC-Holtz-23; Rebuttal-ATC-Jackson-at 3-12 Direct-MMS-Van Aken-at 48-49; Ex.-MMS-Van Aken-15		<p>ATC: Yes. The proposed facilities do not unreasonably interfere with the orderly land use and development plans in the area. The line will not significantly impact property values.</p> <p>MMS: Route C(1) would interfere with MMS plans for a performing arts center and Milwaukee's West Side Area Plan.</p>

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	<p>Direct-W-Enders-5-7; Tr. Vol. 2 W-Enders- at 245-261; Direct- W-Miner-at 8; Tr. Vol. 2-W-Miner-at 256; Tr. Vol. 2-W- McBride-66</p> <p>Direct-PFP-W. Gonwa-at 10-11; Ex.- W. Gonwa-1, Figure 4; Tr.Vol. 2-W. Gonwa-at 222-224; Ex.-PSC-Rahn-1-3; Rebuttal-PSC-Rahn- at 2; Tr.-Vol. 5-PSC- Rahn-at 581-582</p>		<p>Wauwatosa: Wauwatosa is concerned that the route, as originally proposed, will interfere with local development plans and have significant adverse economic impacts.</p> <p>PFP: Along Segment 3, floodplain would be converted to transmission line corridor.</p> <p>Alternative One: None of the proposed routes would unreasonably interfere with the orderly land use and development plans for the area involved.</p> <p>Alternative Two: Some route segments would unreasonably interfere with the orderly land use and development plans for the area involved, and route alternatives using those segments should be eliminated from consideration.</p>

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8. Which route, if any, does the Commission authorize given the requirements for issuance of a CPCN under Wis. Stat. §§ 1.12(6) and 196.491(3)(d)3., 3r., 4., and 6.?	ATC Initial Brief at 3; Ex.-ATC-Aeschbacher-1 (Application); Ex.-ATC-Aeschbacher-2-6; Direct-ATC-Aeschbacher-at 1-15; Tr. Vol. 2-Aeschbacher-at 11-14, 18-21; Direct-ATC-Holtz-7-24; Exs.-ATC-Holtz-2, 3; Tr. Vol. 2-Holtz-at 28-29, 49-51; Direct-PSC-Rahn-at 2-4, 6-9; Exs.-PSC-Rahn-1-3		ATC: Does not have preferred routes. Several alternative routes not included in the application have been evaluated by ATC and are non-viable because of constructability, location, and cost factors. Additional routes suggested by the parties and staff have been evaluated as well.
Project Cost	Direct-ATC-Aeschbacher-10-12; Rebuttal-ATC-Aeschbacher-17-23; Aeschbacher, Tr. Vol. 2 11-21, 24-25; Ex.-ATC-Aeschbacher-1 (application p. 3, TSD pp. 15, 19-22, <i>(continued)</i>)	\$23,300,000 to \$56,400,000	ATC: The ATC estimates of the original project route options are reasonable. The cost estimates made by the Wauwatosa and PFP may not be accurate. Some proposed alternative routes or route designs were viewed by ATC as likely to cost less in principle, but the methodology used may not result in estimates as accurate as those provided by ATC.

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	33-38, TSD- Appendix B-Exhibit 2); Ex.-ATC- Aeschbacher-6R; Direct-ATC- Hodgson-3-6; Rebuttal-ATC- Hodgson-8; Hodgson, Tr. Vol. 2 189-191; Ex.-ATC-Hodgson-2; ATC Init. Br. at 5-7, 9-11, 20, 27-29; ATC Reply Br. at 3-4, 6-7, 12; Ex.-ATC- Aeschbacher-6R Direct-ATC- Hodgson-3-6; Rebuttal-ATC- Hodgson-8; Hodgson, Tr. Vol. 2 189-191; Ex.-ATC-Hodgson-2; ATC Init. Br. at 5-7, 9-11, 20, 27-29; ATC Reply Br. at 3-4, 6-7, 12		

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	<p>Direct-W-Mendl-17-18; Surrebuttal-W-Mendl-22-23; Mendl, Tr. Vol. 5 359-365, 369-374; Ex.-W-Mendl-3; Wauwatosa Init. Br. at 9-11, 14; Wauwatosa Reply Br. at 5</p> <p>Direct-PFP-W. Gonwa-17-18; Gonwa, Tr. Vol. 2 220-222; PFP Init. Br. at 6-8; PFP Reply Br. at 7-8</p>		<p>Wauwatosa: With respect to the Western Route, there is a reasonable alternative to the routes that were proposed in the ATC application that require serious consideration. The cost increase associated with alternative routes proposed by Wauwatosa is justified and not contrary to the public interest when externalities such as restricted opportunities for economic development, reduced property values, and reduced property taxes are considered.</p> <p>PFP: ATC's cost estimates for portions of the potential underground alignments are overly conservative, generating high cost estimates for underground construction and biasing the economic analysis of alternatives away from underground routes. ATC's calculations do not consider the costs to the community including quality of life issues. Customers believe that the extra cost of buried lines is justified when these issues are considered.</p>

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	<p>Direct-MMS-Akers-4; Akers, Tr. Vol. 5 380-383, 392-393, 402; Ex.-MMS-Akers-1 and 2; Direct-MMS-Van Aken-42; Rebuttal-MMS-Van Aken-3-4; Surrebuttal-MMS-Van Aken-9-10; Ex.-MMS-Van Aken-17, 18; MMS Init. Br. at 11-14, 16-17, 19; MMS Reply Br. at 1-2</p> <p>Delayed Ex.-PSC-Wali-1; Delayed Ex.-Kitsembel-2</p> <p>Direct-PSC-Kitsembel-8-9</p>		<p>MMS: The three underground options that Pike Energy Solutions studied (USH 45, 95th Street, and MMS-St. Therese Parish parking lot (easement)) are technically feasible and that the Easement Route is more cost-effective than the 95th Street route. The ATC estimated cost of constructing the various alternatives includes only the cost of line construction and omits all external costs. An appropriate cost analysis should include all life cycle costs, including impact costs to the affected community.</p> <p>Public: Many members of the public favor underground construction. Concerns about overhead construction include aesthetics, health impacts, and safety.</p> <p>Commission Staff: The ATC estimated costs of the overhead-only and combination overhead and underground transmission lines appear reasonable.</p>

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East-West Routes	<p>Direct-ATC-Holtz-18-21; Ex.-ATC-Holtz-2 at 2; Rebuttal-ATC-Aeschbacher-at 20-22; Supp. Rebuttal-Aeschbacher-at 25-28; Ex.-ATC-Aeschbacher-6; Tr. Vol.2-Aeschbacher-at 15-21, 23-26</p> <p>Direct-Holtz-at 33; Tr. Vol. 2-Holtz-at 29-32</p> <p>Direct-ATC-Holtz-at 21; Tr. Vol. 2-Holtz-at 45-47</p> <p>Rebuttal-ATC-Jackson-at 3-12 Exs.-Jackson-1, 2 Tr. Vol. 2-Jackson-at 112</p> <p>Direct-ATC-Parrett-at 4-9; Rebuttal-Parrett-at 16-21; Tr. Vol. 2-Parrett-at 193-198</p>		<p>ATC: Wauwatosa’s proposed “Resolution Route” should transition to underground on the south side of Watertown Plank Road rather than at the east end of Segment 3.</p> <p>Route A would not interfere with future work on the STH 100 bridge.</p> <p>There are a number of significant constructability challenges with the Wauwatosa Alt-2 Route alternative because of the required extensive directional bore under the railroad facilities and Underwood Creek.</p> <p>Transmission lines do not have a significant impact on residential or commercial property values.</p> <p>Construction methods would limit wetland impacts.</p>

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	<p>Delayed Ex.-PSC-Wali-1 part 2 at 87-114; Tr. Vol. 3-at 129-138; Tr. Vol. 2-Holtz-at 182-185</p> <p>Direct-W-Enders-at 3-10; Tr.-Enders-at 247-261, 270; Direct-W-McBride-at 4-17; Ex. W-McBride-8, 9; Surrebuttal-McBride-at 19-20; Tr. Vol. 2-McBride-at 57-69; Direct-W-Mendl-at 3-19; Surrebuttal-Mendl-at 21-30; Tr. Vol. 5-Mendl-at 359, 365-376; Direct-</p>		<p>Several alternative routes proposed by Alderman Birschel had been evaluated by ATC and were felt to be not feasible or constructible.</p> <p>Wauwatosa: Route A, as modified by city council resolution, is preferred. The route, as originally proposed by ATC, will interfere with local development plans and have significant adverse economic impacts. First preference is an all underground route. WE Energy's chairman supports this. Undergrounding along Walnut Road should extend past the new housing development at 113th Street. Route A should be modified to remove the crossing of County grounds on Segments 4 and 5 to place the line beneath Watertown Plank Road. This modified route should be underground between the eastern end of Segment 3 and the new substation site. The cost difference between this and Wauwatosa Alt 1 are relatively minor. There would be aesthetic concerns with Segments 5, 6, and 7. The B Routes have unacceptable environmental and land use impacts, particularly to the Underwood Parkway.</p>

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	<p>W-Miner-at 3-10; Surrebuttal-Miner-at 12-16; Tr. Vol. 2- Miner-at 71-103; Direct-W-Wehrley-at 2-10; Surrebuttal- Wehrley-at 13-14; Tr. Vol. 2-Wehrley-at 104-110</p> <p>Tr. Vol. 3-Milwaukee County-Schmitt-at 167-171; Ex.-PSC- Kitsembel-2 Part 2 of 62</p> <p>Direct-PFP-W. Gonwa-at 3-18; Ex.- PFP-W. Gonwa-1; Surrebuttal-W. Gonwa-at 2-4; Tr. Vol. 2-W. Gonwa-at 211-224; Direct-PFP- E. Gonwa-at 1-8; Exs.-E. Gonwa-1, 2</p>		<p>Milwaukee County: Supports route suggested by Wauwatosa. Parkways should not be highways for transmission lines. Overhead lines would severely damage the economic potential of nearby lands. Supports underground lines.</p> <p>PFP: Route A and Wauwatosa Alternatives 1 or 2 are in the public interest and should be selected by the PSC. The one route that has received substantial public support is the all underground route first proposed by Wauwatosa.</p>

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	<p>Ex.-Kitsembel-2, Part 4 of 62</p> <p>Tr. Vol. 4-at 313-346; Delayed Ex.-PSC-Wali-1 at 73-135 (Walnut Road); Tr. Vol. 4-at 297-302 (Milwaukee Riverkeepers); Tr.-Vol. 4-at 274-276, 305-307 (Parkway); Tr. Vol.4-at 286-289, 350-351 (MMS); Ex.-PSC-Kitsembel-2; Delayed Ex.-PSC-Wali-1</p>		<p>Wisconsin Lutheran College: Supports an underground route that would go west of its baseball/softball facilities to Watertown Plank Road because it would be aesthetically pleasing and would eliminate the potential noise issues related to overhead lines. Additionally, the College supports the all-underground alternative routes consistent with those which WEPCO, Wauwatosa, and Milwaukee have previously endorsed.</p> <p>Public: Residents on Walnut Road prefer routes beginning in the Underwood Parkway so as to avoid impacts along Walnut Road. They are particularly concerned about the aesthetic impact of the required transition structures. Nothing would be gained for the additional cost of a Walnut Road route. There is a false appearance of consensus for Route A. Many, including several citizen groups, say that routes should not be located in parkland, such as the Underwood Parkway with its Oak Leaf Trail. Route B could impact environmental corridor and creek restoration efforts for flood control. Homeowners along Underwood Parkway are also concerned about property values. There are concerns about EMF.</p>

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	Direct-DNR-Callan-at 3-6; Rebuttal-Callan-at 1-2; Tr. Vol. 2-Callan-at 264-269; Direct-PSC-Rahn-at 7-9; Rebuttal-Rahn-at 1-3; Surrebuttal-Rahn-at 1-2; Tr. Vol. 5-Rahn-at 582-585		<p>DNR: Wetland impacts associated with Route A are significantly less than those associated with the B Routes. All routes are permissible.</p> <p>Alternative One: Approve Route A-Walnut Road Hybrid.</p> <p>Alternative Two: Approve Route B(1)-Underwood Creek Overhead.</p> <p>Alternative Three: Approve Route B(2)-Underwood Creek Overhead-Watertown Plank Hybrid.</p> <p>Alternative Four: Approve Route B(3)-Underwood Creek Overhead-County Grounds Hybrid.</p> <p>Alternative Five: Approve Wauwatosa Alt 1-Hybrid Route.</p> <p>Alternative Six: Approve Wauwatosa Alt 2-Underground.Route.</p> <p>Alternative Seven: Approve Wauwatosa Resolution Route.</p> <p>Alternative Eight: Approve Route A-Alt-1.</p>

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			<p>Alternative Nine: Approve a different route that is not listed here.</p> <p>Alternative Ten: Do not approve any route.</p>
North-South Routes	<p>Direct-ATC-Holtz-21-23; Rebuttal-Aeschbacher-19-20; Tr. Vol. 2-Aeschbacher-at 14, 18-19; Rebuttal-Holtz-36-38, 52-53; Tr. Vol. 2-Holtz-at 33-43; Ex.-Holtz-4, 5</p> <p>Direct-MMS-Akers-at 2-4; Exs.-MMS-Akers-1-3; Tr. Vol. 5-Akers-at 378-402; Direct-MMS-Bose-at 4-21; Ex.-MMS-Bose-1, 3; Tr. Vol. 5-Bose-at 433-461; Direct-MMS-Everett-at 5-7; Tr. Vol. 2-Everett-at 229-242; Direct-MMS-La-at 3-9; Tr. Vol. 5-La-at (continued)</p>		<p>ATC: USH 45 Underground route is not feasible. The MRMC does not support a line under 92nd Street, due to existing underground infrastructure, its construction plans for the area, and the presence of a primary route to its emergency facilities. MMS photo simulation of an overhead line behind the school is inaccurate.</p> <p>MMS: An overhead route along USH 45 near MMS, St. Therese Church, and Parkside Pool Apartments is not in the public interest. It would cause MMS to close and result in economic and individual hardship. An underground line in this location is feasible. Burying the line near the school, church, and apartments would avoid most negative impacts and is supported by MMS. Routes C(2), C-Alt-1, C-Alt-2, and D are acceptable. Route C-Alt-1 is less expensive to construct than Route C(2).</p>

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	<p>404-431; Direct-MMS-Snowden-at 4-7; Tr. Vol. 2-Snowden-at 116-121; Direct-MMS-Van Aken-at 13-44, 48-54; Ex.-Van Aken-1-23; Rebuttal-Van Aken-at 2-4; Surrebuttal-Van Aken-at 2-12; Tr. Vol. 5-Van Aken-at 463-571</p> <p>PFP Initial Brief at 4; Direct-PFP-E. Gonwa-at 1-8; Ex.-E. Gonwa-1, 2</p> <p>Direct-Milwaukee-Murphy-at 1-3; Exs.-Murphy-1, 2; Tr. Vol. 2-Murphy-at 8-9</p>		<p>PFP: The most cost-effective all-underground route that is feasible is in the public interest and should be selected. Both routes that have received substantial public support are completely underground. South of Wisconsin Ave., one lies along USH 45 and the other along 95th Street. North of Wisconsin Ave., one follows segments 16UG and 17UG and the other follows 92nd Street.</p> <p>Milwaukee: Supports MMS's position. Either the underground alternative known as S-2 that runs along 95th Street or the underground alternative known as S-3 that runs parallel to USH 45 in the backyard of MMS and St. Therese Church should be selected. Only an underground route near MMS is in the public interest.</p>

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	<p>Ex.-PSC-Kitsembel-2 Part 2 of 62</p> <p>Tr. Vol. 3-at 125-129, 141-153, 159-161; Tr. Vol. 4-at 350- 351; Ex.-PSC- Kitsembel-2; Delayed Ex.-PSC-Wali-1</p> <p>Direct-PSC-Rahn-at 7-9; Rebuttal-Rahn-at 3-4</p>		<p>Milwaukee County: Supports MMS's position and the route supported by Milwaukee.</p> <p>Public: St. Therese Parish members expressed concerns about loss of members, funds from rental to MMS, and loss of outdoor activity space if an overhead line is constructed near the church. Parents of MMS students oppose an overhead line near the school. There are concerns about EMF.</p> <p>Alternative One: Approve Route C(1) Highway 45 Overhead.</p> <p>Alternative Two: Approve Route C(2) 95th Street Underground.</p> <p>Alternative Three: Approve Route C(3) Highway 45 Hybrid.</p> <p>Alternative Four: Approve Route D 92nd Street Underground.</p> <p>Alternative Five: Approve Route C-Alt-1-Montessori Easement.</p> <p>Alternative Six: Approve Route C-Alt-2-PSC.</p> <p>Alternative Seven: Approve Montessori USH 45 Underground Route.</p>

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			<p>Alternative Eight: Approve Route S-2 Underground along 95th Street and 92nd Street.</p> <p>Alternative Nine: Approve Route S-3 Underground along USH 45 and 92nd Street.</p> <p>Alternative Ten: Approve a different route that is not listed here.</p> <p>Alternative Eleven: Do not approve any route.</p>
<p>9. If the Commission grants a CPCN, are there any conditions, besides the standard conditions for construction orders, that should be attached to the certificate?</p>	<p>Direct-PSC-Rahn-at 6</p> <p>Ex.-PSC-Rahn-3 at p. 17</p>		<p>Alternatives: To ensure that ATC complies with Wis. Stat. §§ 196.491(3)(d) and 44.40, the Commission may adopt one or more of the following conditions:</p> <p>Uncontested Alternative One: Clearing or trimming of oak trees shall take place outside of the April through October growing season. If this is not possible, oak stumps or wounds shall be immediately treated with tree wound paint to prevent the spread of oak wilt disease.</p> <p>Uncontested Alternative Two: The following measures shall be used to avoid harming the rare snake species that could be present in the project area:</p> <ul style="list-style-type: none"> • Locate poles outside of wetland areas and/or suitable overwintering habitat, and complete work during the snake's inactive period from approximately the beginning of November to mid-March.

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DL:00642937